

(Pub. L. 103-176, title II, §201, Dec. 3, 1993, 107 Stat. 2009; Pub. L. 106-559, title II, §202, Dec. 21, 2000, 114 Stat. 2782.)

#### AMENDMENTS

2000—Subsecs. (a) to (d). Pub. L. 106-559 substituted “2000 through 2007” for “1994, 1995, 1996, 1997, 1998, 1999, and 2000”.

#### SUBCHAPTER III—DISCLAIMERS

##### § 3631. Tribal authority

Nothing in this chapter shall be construed to—

(1) encroach upon or diminish in any way the inherent sovereign authority of each tribal government to determine the role of the tribal justice system within the tribal government or to enact and enforce tribal laws;

(2) diminish in any way the authority of tribal governments to appoint personnel;

(3) impair the rights of each tribal government to determine the nature of its own legal system or the appointment of authority within the tribal government;

(4) alter in any way any tribal traditional dispute resolution forum;

(5) imply that any tribal justice system is an instrumentality of the United States; or

(6) diminish the trust responsibility of the United States to Indian tribal governments and tribal justice systems of such governments.

(Pub. L. 103-176, title III, §301, Dec. 3, 1993, 107 Stat. 2009.)

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##### § 3651. Findings

The Congress finds and declares that—

(1) there is a government-to-government relationship between the United States and Indian tribes;

(2) Indian tribes are sovereign entities and are responsible for exercising governmental authority over Indian lands;

(3) the rate of violent crime committed in Indian country is approximately twice the rate of violent crime committed in the United States as a whole;

(4) in any community, a high rate of violent crime is a major obstacle to investment, job creation and economic growth;

(5) tribal justice systems are an essential part of tribal governments and serve as important forums for ensuring the health and safety and the political integrity of tribal governments;

(6) Congress and the Federal courts have repeatedly recognized tribal justice systems as the most appropriate forums for the adjudication of disputes affecting personal and property rights on Native lands;

(7) enhancing tribal court systems and improving access to those systems serves the dual Federal goals of tribal political self-determination and economic self-sufficiency;

(8) there is both inadequate funding and an inadequate coordinating mechanism to meet the technical and legal assistance needs of tribal justice systems and this lack of adequate technical and legal assistance funding impairs their operation;

(9) tribal court membership organizations have served a critical role in providing training and technical assistance for development and enhancement of tribal justice systems;

(10) Indian legal services programs, as funded partially through the Legal Services Corporation, have an established record of providing cost effective legal assistance to Indian people in tribal court forums, and also contribute significantly to the development of tribal courts and tribal jurisprudence; and

(11) the provision of adequate technical assistance to tribal courts and legal assistance to both individuals and tribal courts is an essential element in the development of strong tribal court systems.

(Pub. L. 106-559, §2, Dec. 21, 2000, 114 Stat. 2778.)

#### SHORT TITLE

Pub. L. 106-559, §1, Dec. 21, 2000, 114 Stat. 2778, provided that: “This Act [enacting this chapter and amending section 3621 of this title and sections 1629e and 1629g of Title 43, Public Lands] may be cited as the ‘Indian Tribal Justice Technical and Legal Assistance Act of 2000’.”

#### AVAILABILITY OF FUNDS FOR COURTS OR LAW ENFORCEMENT OFFICERS OF CERTAIN TRIBES OR VILLAGES

Pub. L. 108-199, div. B, title I, §112(a)(1), Jan. 23, 2004, 118 Stat. 62, provided that: “None of the funds provided in this Act [div. B of Pub. L. 108-199, see Tables for classification] or hereafter may be used for courts or law enforcement officers for a tribe or village—

“(A) in which fewer than 25 Native members live in the village year round; or

“(B) that is located within the boundaries of the Fairbanks North Star Borough, the Matanuska Susitna Borough, the Municipality of Anchorage, the Kenai Peninsula Borough, the City and Borough of Juneau, the Sitka Borough, or the Ketchikan Borough.”

##### § 3652. Purposes

The purposes of this chapter are as follows:

(1) to carry out the responsibility of the United States to Indian tribes and members of Indian tribes by ensuring access to quality technical and legal assistance.

(2) To strengthen and improve the capacity of tribal court systems that address civil and